

REMARKS

Favorable reconsideration of this Application, as presently amended and in light of the following discussion, is respectfully requested.

This Amendment is in response to the Office Action mailed on March 17, 2004. Claims 1-5 and 7-20 are pending in the Application, Claims 1-14 and 16-20 stand rejected, and Claim 15 stands objected to as being dependent upon rejected base claims, but would be allowed if rewritten in independent form. The indication of allowable subject matter is noted with appreciation. Claims 1, 8, and 15 are amended and Claim 6 is cancelled without prejudice and disclaimer by the present Amendment.

In view of the allowable subject matter, Claim 15 has been rewritten in independent form, including all of the limitations from the claims from which it depended, i.e., Claims 1, 9, 12, and 14. Applicants respectfully submit that Claim 15 is in condition for allowance.

The Specification was objected to because of an informality. Applicants note with appreciation the time taken by the Examiner to identify a specific area needing revision. Applicants have herein submitted an amendment to one paragraph in the specification to correct the outstanding informality and respectfully request reconsideration of the same.

A minor suggestion was made to the language of Claim 8. Applicants have amended Claim 8, including correction of the cited informality.

Claims 1, 3, 5, 7-9, 16, and 17 were rejected under 35 U.S.C. §102(b) as being anticipated by Thorstensson (U.S. Patent No. 5,375,767, hereinafter "Thorstensson"). Applicants respectfully submit that the presently amended Claim 1 is not anticipated

by Thorstensson because each and every element as set forth in that claim is not found, either expressly or inherently described, in the cited reference.<sup>1</sup>

According to a feature of the invention as set forth in the presently amended Claim 1, an agricultural sprayer equipped with a chassis is recited, comprising, among other limitations, a chassis having a bearing structure supporting a storage device, and a connecting structure supporting a spreading device, wherein the bearing structure comprises a single stringer and the connecting structure comprises an upright arranged in a vertical mid-plane of the sprayer.

As disclosed in the Specification, one of the advantageous features of the present invention, among many others, is related to a sprayer having a simplified design and lower manufacturing costs. As such, the load-bearing structure comprises a single side member, and the linking structure is composed of a strut arranged, at least approximately, along a median vertical plane of the sprayer.<sup>2</sup> Claim 1 has been amended to more clearly recite such an agricultural sprayer.

Thorstensson describes an agricultural sprayer equipped with a frame including a load-bearing structure 12 for supporting a storage device 14 and a linking structure 20 that, in turn, supports a spreading device 26 connected to the storage device 14, making it possible to spread liquid over the soil.<sup>3</sup> However, Thorstensson does not disclose that the load-bearing structure is composed of a single side member. Furthermore, this known sprayer does not include a linking structure 20 composed of a strut arranged, at least approximately, along a median vertical plane of the sprayer. FIGS. 3 and 4 of Thorstensson make clear that the linking structure 20 is shaped like

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<sup>1</sup> In an anticipation rejection, MPEP § 2131 requires that the identical invention must be shown in as complete detail as is contained in the claim.

<sup>2</sup> See, for example, specification, page 2, line 13 – page 4, line 7.

<sup>3</sup> See, for example, Thorstensson, col. 2, lines 41-59.

an “H” composed of two vertical struts 20a, 20b and one horizontal strut 20c connected thereto.<sup>4</sup> The spreading device 26 is therefore carried by the H-shaped structure 20a, 20b, 20c, whose vertical struts 20a, 20b are separated from one another by the horizontal strut 20c.

Applicants respectfully submit that Claim 1 is not anticipated by Thorstensson. Based at least on the above-summarized reasons, this cited prior art reference does not disclose a chassis having a bearing structure comprising a single stringer supporting a storage device and a connecting structure having an upright arranged in a vertical mid-plane of the sprayer supporting a spreading device. In addition, Claims 3, 5, 7-9, 16, and 17 are allowable, among other reasons, as depending either directly or indirectly from Claim 1, which is allowable. Therefore, Applicants respectfully request that the anticipation of Claims 1, 3, 5, 7-9, 16, and 17 under 35 U.S.C. §102(b) based on Thorstensson be withdrawn and the claims passed to issuance.

Claims 1-3, 5-7, 9, 16, and 17 were rejected under 35 U.S.C. §102(b) as being anticipated by Penson (U.S. Patent No. 5,375,767, hereinafter “Penson”). Applicants respectfully submit that the presently amended Claim 1 is not anticipated by Penson because each and every element as set forth in that claim is not found, either expressly or inherently described, in the cited reference.

Penson describes a spraying device 10 that includes a frame 13, a storage device made in the form of a tank 12, and a spreading device made in the form of a sprayer bar 28. The frame 13 in turn includes a side member 14, a cross member 16, and two arms 29, 30.<sup>5</sup> The tank 12 in Penson is kept in place by a rectangular frame

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<sup>4</sup> *Id.*, col. 3, lines 21-26.

<sup>5</sup> See, for example, Penson, col. 2, lines 50-54.

20 and straps 23. The rectangular frame 20 rests on the side member 14 by means of a stand 22A and on the cross member 16 by means of two stands 22B, 22C.<sup>6</sup> The sprayer bar 28 is connected to the rectangular frame 20 by two arms 29, 30, constituting a structure for supporting a spreading device.<sup>7</sup>

It should be clear from the above-noted summary of Penson that the weight of the tank 12 is supported by the side member 14 and by the cross member 16. The load-bearing structure is therefore not composed of a single side member. Additionally, the sprayer bar 28 is supported by the two arms 29, 30, which are distant from a vertical plane passing through the side member 14. The linking structure is therefore not composed of a strut that is arranged, at least approximately, along a median vertical plane of the sprayer. Moreover, the support 53 cannot be considered to be a linking structure of the spreading device. It makes possible, on the one hand, to carry a switch 54 and, on the other hand, to carry a spreading device 83 when the latter is not being used.<sup>8</sup>

Based at least on the above-summarized reasons, Applicants respectfully submit that Claim 1 is not anticipated by Penson. This cited prior art reference does not disclose a chassis having a bearing structure, comprising a single stringer supporting a storage device, and a connecting structure, having an upright arranged in a vertical mid-plane of the sprayer supporting a spreading device. In addition, Claims 2, 3, 5-7, 9, 16, and 17 are allowable, among other reasons, as depending either directly or indirectly from Claim 1, which is allowable. Therefore, Applicants respectfully request that the anticipation of Claims 1-3, 5-7, 9, 16, and 17 under 35 U.S.C. §102(b) based on Penson be withdrawn and the claims passed to issuance.

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<sup>6</sup> *Id.*, col. 3, lines 7-15.

<sup>7</sup> *Id.*, col. 3, lines 29-35.

<sup>8</sup> *Id.*, col. 5, lines 30-34.

Turning the attention now to the obviousness rejections, Claim 4 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Thorstensson. Claims 10-14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Thorstensson in view of Mueller et al. (U.S. Patent No. 6,209,895, hereinafter "Mueller"), or, alternatively, as being unpatentable over Penson in view of Mueller. Finally, Claims 18-20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Thorstensson in view of Clement (U.S. Patent No. 1,471,548, hereinafter "Clement"), or, alternatively, as being unpatentable over Penson in view of Clement.

Applicants respectfully submit that Thorstensson, Penson, Mueller, and Clement, individually or in any combination, do not support a *prima facie* case of obviousness of the invention recited in the presently amended independent Claim 1. This is so because, even when combined, these prior art references do not teach or suggest all the claim limitations recited therein.

As noted hereinabove, all of the obviousness rejections are based at least on Thorstensson or Penson. As already explained, Thorstensson and Penson do not disclose all of the limitations of Claim 1. In addition, Thorstensson and Penson have been acknowledge as being silent as to a stinger being made hollow, a suspension system for their apparatuses (wherein the ground-connection device comprises a trailed arm connected to the chassis by articulation, the articulation arranged in a vertical mid-plane of the sprayer, and the ground-connection device comprises an active element (oleopneumatic ram) entailing just one anchoring point on the chassis, the anchoring point lying inside the stringer), and a hitching head being connected to the stringer by an articulation (wherein a pivoting of the hitching head with respect to the stringer about the articulation is damped using damping elements, the damping elements being arranged inside the stringer).

However, as explained in the outstanding Office Action, although Mueller and Clement have been cited for disclosing elements acknowledged as not being taught by Thorstensson and Penson, Mueller and Clement do not remedy the deficiencies of Thorstensson and Penson in connection with their lack of disclosure for the features of Claim 1 as already explained in conjunction with the anticipation rejections. Therefore, Applicants respectfully submit Thorstensson, Penson, Mueller, and Clement, individually or in any combination, do not make obvious the invention recited in the presently amended Claim 1. Claims 4, 10-14, and 18-20 depend from Claim 1, thus incorporating by reference all of the limitations thereof. Therefore, Claims 4, 10-14, and 18-20 are also not made obvious by Thorstensson, Penson, Mueller, and Clement, individually or in any combination. For the foregoing remarks, Applicants respectfully request that the Examiner withdraw the rejection of Claims 4, 10-14, and 18-20 under 35 U.S.C. § 103(a).

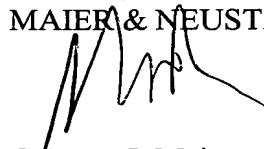
Consequently, in view of the present amendment, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal Allowance. A Notice of Allowance for Claims 1-5 and 7-20 is earnestly solicited.

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Reply to Office Action of March 17, 2004

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact Applicants' undersigned representatives at the below listed telephone number.

Respectfully submitted,

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